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FEDERAL ELECTION COMMISSION

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Texas Democratic Party

*AOR 1993-2
Late Comment*

Bob Slagle,
Chairman

To: Federal Election Commission
From: Bob Slagle, Chairman, Texas Democratic Party
Subject: Requested Advisory Opinion Texas Special Senate
Election

It has come to my attention that a Request for Opinion has been filed which requests that you rule that the Texas Special Senate Election is only one election.

Such a conclusion would be contrary to the way special elections in this state work. Under our law the first election operates as a "blanket" primary where the two highest vote getters go into a run-off.

As Chairman I have had the opportunity to preside over Democratic Party efforts in three Special elections for Congressional seats in this state (1983, 1985, 1989). The last two, '85 and '89, had run-offs. In each instance, under the one election rule, the amount of money provided for by the Federal formula was grossly inadequate for the Party to fully and fairly participate in the run-off.

Not only is this an unfair restriction which discourages Party participation, but worse, it flies in the face of reality. If the first election acts as a Primary, and a run-off serves as the General Election which is the usual result in Texas, then clearly in the real world, you have two elections. If you really have two elections, then why not two spending authorities?

In the real world "up" is "up", not down. "East" is east, not west. In our real world of Texas politics, Special elections function as set out above. Therefore, I would hope that you would decline to rule that this is a single election, but would recognize that the May 1 election serves as a "blanket" primary, the June 5 Run-off is actually the General Election; consequently, two elections.

Realizing that this statement has redundancies in it, it might be worth pointing out that two elections do also.

Respectfully,

Bob Slagle, Chairman